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JOURNAL

OF THE

CONVENTION OF VERMONT,

CONVENED AT THE STATE HOUSE

AT MONTPELIER,

JUNE 26, A. D. 1828.

PUBLISHED BY ORDER OF THE CONVENTION.

ROYALTON:
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JOURNAL.

THE Delegates, elected on the 10th day of June, A. D. 1828, agreeably to an ordinance of the Council of Censors, convened at the State House, in Montpelier, on the 26th day of June, in the year of our Lord one thousand eight hundred and twenty-eight, for the purpose of taking into consideration certain proposed amendments to the Constitution of the State of Vermont, as agreed upon and recommended by said Council.

On motion of Mr. *Palmer*, the Hon. HENRY OLIN took the Chair, and called to order.

On motion of Mr. *Pierpont*, Resolved, that the Convention proceed to elect a President, *pro tempore*, by nomination. And

The Hon. SAMUEL C. CRAFTS was nominated and elected, and took the chair.

On motion, Resolved, that the Convention proceed to elect a Secretary and Assistant Secretary, *pro tempore*, by nomination. And WYLLYS LYMAN was elected Secretary *pro tem.*, and ROBERT PIERPONT Assistant Secretary *pro tem.*

The Convention being thus organized, the following gentlemen presented their credentials, and took their seats as members.

BENNINGTON COUNTY.

Arlington, Anson Canfield
Bennington, David Robinson
Dorset, Stephen Martindale
Landgrove, David Willey
Manchester, Elijah Collins
Pownal Perry Jewett
Peru, Josiah Barnard
Rupert, Seth Moore
Sandgate, Joseph Tuttle
Shaftsbury, Nathan H. Bottom
Winhall, Reuben Brooks
Woodford, Joseph C. Hollister
Readsborough, Henry Holbrook
Sunderland, William Landon.

WINDHAM COUNTY.

Athens, Ethalston Bailey
Brattleborough, Lemuel Whitney
Brookline, William Perry
Dover, Ebenezer Jones
Grafton, William Stickney
Guilford, Aaron Barney
Halifax, Sandford Plumb
Jamaica, Timothy Goodale
Londonderry, Luther Stowell
Dummerston, Jonathan Huntley
Marlborough, Simeon Adams
Newfane, Martin Field
Putney, John Campbell
Stratton, Richard Scott
Rockingham, Manassah Divoll
Somerset, Charles Morse
Townsend, Waitstill R. Ranney
Vernon, Joseph Franklin
Wardsborough, Asa Wheelock
Westminster, Ellery Abby
Whitingham, Elisha Putnam
Wilmington, Lancey Forbes
Windham, Amos Emery.

RUTLAND COUNTY.

Benson, Chauncy Smith
Brandon, Daniel Farrington
Castleton, John Mason
Clarendon, Oziel H. Round
Chittenden, Jonas Wheeler
Danby, Andrus Eggleston
Fairhaven, Moses Colton
Hubbardton, David Barber
Ira, Leonard Mason
Mendon, Rufus Richardson
Middletown, Allen Vail
Mount Holly, Nathan T. Sprague
Mount Tabor, Caleb Buffum
Orwell, Thomas D. Hammond
Pawlet, Joel Simonds
Pittsfield, William R. Blossom
Pittsford, Caleb Hendee
Poultney, John Stanley
Rutland, Robert Pierpont
Shrewsbury, John Buckminster
Sherburne, Josiah Wood
Tinmouth, Obadiah Noble, jr.
Wallingford, Amos Buckland
Wells, Seth Blossom
West Haven, Erastus Coleman.

WINDSOR COUNTY.

Andover, Edward Simons
Barnard, Thomas Freeman
Bethel, Daniel Lillie
Baltimore, Joseph Atherton
Bridgewater, James Topliff
Cavendish, Levi Jackman
Chester, Rufus Bruce
Hartland, Aaron Willard
Hartford, Wyllys Lyman
Ludlow, Asahel Smith
Norwich, Aaron Loveland
Plymouth, Asa Briggs, jr.
Pomfret Henry Hewit
Rochester, Lyman Emerson
Royalton, Franklin Hunter
Reading, Henry Conant
Sharon, Rhodolphus Brown
Springfield, Leonard Walker
Stockbridge, Norman Webber
Windsor, Horace Everett
Weathersfield William Jarvis
Woodstock, Titus Hutchinson
Weston, Amos N. Burton

ADDISON COUNTY.

Addison, Stephen Spencer
Bridport, Benjamin Miner, jr.
Bristol, Robert Holley
Cornwall, John Sanford
Ferrisburgh, Theo. Middlebrook
Goshen, Nathan Capen
Hancock, Charles Church
Kingston, Thomas King
Leicester, Henry Olin
Lincoln, Oliver W. Burnham
Middlebury, Samuel Swift
New Haven, Benjamin Field
Panton, Silas Tappan
Salisbury, Ebenezer N. Briggs
Shoreham, Elisha Bascomb
Starksborough, Myron Bushnell
Vergenns, Philip C. Tucker
Weybridge, Asaph Hayward
Whiting, Benjamin Needham
Warren, Joseph Hyzen
Waltham, Solomon Hobbs

ORANGE COUNTY.

Bradford, Jesse Merril, 2d.
Braintree, Lyman Kidder
Brookfield, Frederick Griswold
Corinth, Peter Eaton
Chelsea, David Wiggin
Fairlee, Thomas Stratton
Newbury, Moody Chamberlin
Orange, Reuben White
Randolph, Lebbeus Edgerton
Strafford, Martin Barrett
Thetford, Simeon Short
Topsham, Jonathan Jenness
Tunbridge, Nathaniel King
Vershire, George W. Maltby
Washington, Asa Burton
Williamstown, Jedediah Smith
West Fairlee Isaac Lyon

WASHINGTON COUNTY.

Barre, Peter Nicholls
Berlin, Ebenezer Bailey
Calais, Thomas Cole
Duxbury, Ira Arms
Elmore, Jonathan Bridge
Fayston, Peter Drew
Marshfield, Josiah Hollister
Montpelier, Stephen Foster
Moretown, David Balding
Middlesex, Rutus Chamberlin.
Northfield, Amos Robinson
Plainfield, Nathaniel Bancroft
Stowe Daniel Moody
Waitsfield, Jason Carpenter
Waterbury, Luther Cleaves
Worcester, Allen Vail

CHITTENDEN COUNTY.

Bolton, John Pinneo
Burlington, Heman Lowry
Charlotte, Nathaniel Newell
Colchester, Thomas Brownell
Essex, Samuel Bliss
Hinesburgh, Edmund Baldwin
Huntington, James Ambler
Jericho, Noah Chittenden
Milton, Lemuel B. Platt
Mansfield, Ivory Luce
Richmond Edward Jones
Shelburne, Burgess Hall
St. George, Horace Ferris
Underhill, Caleb Shelden
Westford, Ebenezer Bowman
Williston, Chauncey Brownell

CALEDONIA COUNTY.

Barnett, Walter Harvey
Burke Joel Trull
Cabot, John W. Dana
Danville, William A. Palmer
Groton, David Vance
Hardwick, Timothy P. Fuller
Kirby, Luther Wood
Lyndon, William Cahoon
Peacham, Jacob Blanchard
Ryegate, James Nelson, jr.
St. Johnsbury, Ephraim Paddock
Sheffield, Joseph H. Ingalls
Sutton, Andrew Brown
Walden, David Wooster
Waterford, Sylvanus Hemmenway
Wheelock, Samuel Fellows, jr.
Woodbury, Ebenezer Bruce

FRANKLIN COUNTY.

Bakersfield, Azariah Corse, jr.
Berkshire, Cromwell Bowen
Belvidere, John Spencer
Cambridge, Jonas B. Gilman
Enosburgh, Martin D. Follet
Fairfield, Benjamin Wooster
Fairfax, Isaac N. Soule
Fletcher, John Kingsley, jr.
Franklin, William Fetton
Georgia, Elijah Dee

Highgate, Jesse Carpenter
Johnson, Charles B. Taylor
Montgomery, Daniel Barrows
Richford, Alden Sears
St. Albans James Davis
Swanton, Heman Hopkins
Sterling, Moses Vilas
Shelden, Joshua W. Shelden

ORLEANS COUNTY.

Albany, Eli Chamberlin, jr.
Barton, James May
Brownington, Amherst Steward
Craftsbury, Samuel C. Crafts
Coventry, Argalus Harmon
Charleston, Abner Allyn
Derby, Luther Newcomb
Eden, Eli Hinds, jr.
Greensborough, Stephen Sherman
Glover, John Crane
Holland, Eber Robinson
Hydepark, Theophilus Fitch
Irasburgh, Roger Enos
Jay, Madison Keith
Kellyvale, Abel Curtis
Morristown, Luther Bingham
Morgan, Reuel Cobb
Newport, Nathaniel Dagget
Salem, Noyes Hopkinson
Troy, Samuel H. Hovey
Westfield, Luther Page
Wolcott, Jonathan Smith

ESSEX COUNTY.

Brunswick, David Hyde
Canaan, Samuel Ingalls
Concord, Archibald Taggard
Guildhall, David Hopkinson
Granby, Joseph Gleason
Lunenburgh, Stephen Howe
Lemmington, Noyes Dennison
Maidstone, Daniel Rich
Minehead, Adin Bartlett

GRAND ISLE COUNTY.

Alburgh, Thomas Mott
Grand Isle, Melvin Barns
North Hero, Irad Allen
South Hero, Bird Landon
Vineyard, Charles Carron

On motion, Mr. Daniel Collins, elected a Delegate from Monkton, and Mr. Barnard Ketchum, elected a Delegate from Sudbury, were permitted to take their seats, as members of the Convention, without producing their credentials.

On motion of Mr. *Brownell*, of Williston, Messrs. Olin, Everett and Brownell of Williston, were appointed a committee to prepare and report rules for the government of the Convention.

The Convention adjourned to 2 o'clock, P. M.

2 o'clock, P. M.

The Convention met pursuant to adjournment.

On motion of Mr. *Cahoon*, the Convention proceeded to the choice of a President, Secretary, and Assistant Secretary, by nomination, and elected

Hon. SAMUEL C. CRAFTS, *President*,

WYLLYS LYMAN, *Secretary*,

ROBERT PIERPONT, *Assistant Secretary*.

The committee appointed to prepare and report rules for the government of the Convention, reported the following, to wit:

Rule 1st. The Convention shall meet every day, at 9 o'clock in the morning, and 2 o'clock. P. M. unless otherwise specially ordered.

2d. The President shall take the chair at the hour to which the Convention is adjourned, and when a quorum is formed, shall call to order, and proceed to business by directing the journal of the preceding day to be read.

3d. The President shall preserve order; and in preference to any other member, may speak on any question of order, and shall decide all questions of order, subject to an appeal to the Convention.

4th. The President, in case of disturbance in the gallery or lobby, may cause the same to be cleared.

5th. No member shall absent himself from the Convention, except in case of indisposition, without leave of absence.

6th. The President shall nominate all committees, subject to the control of the Convention.

7th. No member in the minority, on any vote, can move a reconsideration thereof.

8th. The Yeas and Nays, on any question, shall be taken, when demanded by a member before the vote is declared: and every member shall vote, except excused by the Convention, or unless such member was absent when the question on which the vote is called, was stated.

9th. No person shall be admitted to a seat on the floor of the Convention, unless introduced by a member, except Judges of courts.

Marshal, Members of Congress, Secretary of State, Treasurer, Clergy, and the late Members of the Council of Censors.

10th. The President shall apply to the Sheriff of Washington county for such officers to attend upon the Convention as he shall think necessary; and shall appoint a Door Keeper.

11th. A motion to adjourn shall always be in order; and no member shall leave his seat until a vote of adjournment is declared by the President.

12th. If any member transgress the rules of the Convention, the President, or any other person, may call to order; and the member so called to order, shall immediately sit down, or appeal to the Convention, which appeal shall be decided without debate. And no member shall speak more than twice to the same question, without permission from the Convention.

All which is submitted.

HENRY OLIN, *for Committee.*

Which report being read, Mr. *Sprague* moved to amend the same by adding after the words "every day," in the first rule, the words "*Sundays excepted;*" and the question being taken, was determined in the affirmative, and the report thus amended was concurred in.

The following communication was received from his Excellency the Governor, viz.:

SIR,

I have the honor to transmit herewith a communication made to me by the Secretary of the late Council of Censors, together with the accompanying document, to be laid before the Convention over which you preside.

I am respectfully,

Your obedient servant,

EZRA BUTLER.

To the President of the Convention, convened at Montpelier, June 26, 1828.

The document accompanying his excellency's communication is the journal of the late Council of Censors.

The said communication and so much of said document as contains the amendments to the Constitution proposed by the Council of Censors, were read.

ARTICLES OF AMENDMENT

TO THE CONSTITUTION OF THE STATE OF VERMONT, PROPOSED BY THE COUNCIL OF CENSORS, ON THE 29TH DAY OF NOVEMBER, 1827.

ARTICLE I.

SECTION 1. The most numerous branch of the legislature of this State shall hereafter be styled the House of Representatives.

SECTION 2. The supreme legislative powers of this state shall hereafter be exercised by a Senate and the House of Representatives. These two bodies shall together be styled "the General Assembly of the State of Vermont." Each shall have and exercise the like powers in all acts of legislation; and no bill, resolution, or other thing, which shall have been passed by the one, shall have the effect of, or be declared a law, without the concurrence of the other. *Provided*, That all bills for raising revenue, shall originate in the House of Representatives; but the Senate may propose, or concur with amendments, as on other bills.

SECTION 3. The Senate shall be composed of *twenty eight* Senators, and no more, to be elected by the freemen of each county respectively. The Senators shall be apportioned to the several counties, in proportion to their population, according to the last census, next before each apportionment. *Provided*, That each county shall have at least one Senator; regard always being had, in the apportionment, to the counties having the greatest fraction. The legislature shall, immediately after the taking of each census of the United States, make a new apportionment of the Senators to the several counties, (agreeably thereto,) or to such other census as may be taken under the authority of this state—always regarding the above provisions in this section. The several counties shall, until after the next census of the United States, be entitled to elect their Senators in the following proportion, to wit: Bennington county, *two*—Windham county, *three*—Rutland county, *three*—Windsor county, *four*—Addison county, *two*—Orange county, *three*—Washington county, *two*—Chittenden county, *two*—Caledonia county, *two*—Franklin county, *two*—Orleans county, *one*—Essex county, *one*—and Grand-Isle county, *one*.

Section 4. After the adoption of this article, the freemen of the several towns in each county, shall, annually, on the first Tuesday of September, vote by ballot for the number of Senators apportioned to such county. And the person, or persons, equal in number to the number of Senators for such county, having the greatest number of legal votes in his or their county respectively, shall be the Senator or Senators for such county, whose term of office shall commence and expire at the same time with that of the members of the House of Representatives. At every election of Senators, after the votes shall have been taken, the constable or presiding officer, assisted by the selectmen and civil authority present, shall sort and count the said votes, and make and certify two lists of the name of each person, with the number of votes given for each annexed to his name; a record of which shall be made in the town clerk's office; and shall seal up such lists separately, and write on each the name of the town, and these words, "Votes for Senator," or, "Votes for Senators," as the case may be; one of which shall be delivered by the presiding officer to the representative of said town, if any, and if none be chosen, to the representative of an adjoining town, to be transmitted to the President of the Senate; the other list, together with the said ballots, the said presiding officer shall, within ten days, deposit in the office of the clerk of the county court for the same county, and the clerk of each county court respectively, or in case of his absence or disability, the sheriff of such county, or in case of the absence or disability of both, the high bailiff of such county, on the 10th day after such election, shall publicly open, sort and count said votes, and make a record of the same, in the office of the clerk of the county court, a copy of which he shall transmit to the Senate, and shall also, on or before the first day of October (then) next, transmit to the person or persons elected, a certificate of his or their election. Provided, however, and it is hereby further ordained and declared, that the General Assembly shall have power to regulate by law the mode of ballotting for Senators within the several counties, and to prescribe the means and manner by which the result of the ballotting shall be ascertained, and through which the Senators chosen shall be certified of their election. But they shall not have power to apportion the Senators to the several counties, other-

wise than according to the population thereof, agreeably to the provisions herein before ordained.

SECTION 5. No person shall be a Senator, who has not attained the age of thirty years, and been two years an inhabitant of this state, the last of which he shall have resided in the county for which he is elected. And the Senators shall be under the same restrictions, prohibitions and disabilities, that the Councillors now are, by the nineteenth and twenty-sixth sections of the second chapter of the constitution of this state.

SECTION 6. The Senate shall have the like powers, to decide on the election, and qualifications, and to expel any of its members, and to make its own rules, and appoint its own officers, as is provided in the case of the House of Representatives. A major part of the Senators shall constitute a quorum. The Lieutenant Governor shall be President of the Senate, except when he shall exercise the office of Governor, in which case, and when the office shall be vacant, and in the absence or disability of the Lieutenant Governor, the Senate shall appoint one of its own members President *pro tempore*. The Lieutenant Governor, when presiding in the Senate, shall have a casting vote, but no other.

SECTION 7. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation, and no person shall be convicted without the concurrence of two thirds of the members present. Judgment in cases of impeachment, shall not extend farther than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit, under this state. But the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

SECTION 8. The supreme executive power of the state shall be exercised by the Governor, "or in case of his absence or disability, by the Lieutenant Governor," who shall exercise all the powers vested in, and perform all the duties enjoined upon the Governor and Council by the eleventh and twenty-seventh sections of the second chapter of the constitution, except he shall not sit as a Judge, to

hear and determine on any impeachment, nor shall he, without the advice and consent of the Senate, grant pardons, or remit fines, lay embargos, or prohibit the exportation of any commodity. Neither shall he command the forces of the state in person, unless on the advice and consent of the Senate, and then only so long as it shall approve thereof. The Governor may have a Secretary of civil and military affairs, whom he may appoint during pleasure, whose services he may at all times command, and for whose compensation provision shall be made by law.

SECTION 9. The votes for Governor, Lieutenant Governor, and Treasurer of the state, shall be sorted and counted, and the result declared, by a committee appointed by the Senate and House of Representatives. If, at any time, there shall be no due election by the freemen of Governor, Lieutenant Governor, or Treasurer of the state, the Senate, with the House of Representatives, shall by a joint ballot, elect to the office of Governor, Lieutenant Governor, or Treasurer of the state, as the case may be, one of the three candidates for those offices respectively for whom the greatest number of votes shall have been returned.

SECTION 10. The Secretary of State, and all officers who, under the existing provisions of the constitution, are elected by the House of Representatives and Council, shall hereafter be elected by the Senate and House of Representatives, in joint committee, at which, the Governor, or, his absence or disability, the Lieutenant Governor shall preside; and the presiding officer of any such committee shall have a casting vote, and no other.

ARTICLE 2.

Every bill, which shall have passed the House of Representatives and Senate, shall, before it becomes a law, be presented to the Governor; if he approve, he shall sign it; but if not, he shall return it, with his objections in writing, to that house in which it shall have originated, who shall proceed to re-consider it. If, after such re-consideration, a majority of the house shall pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be re-considered, and if approved by a majority of that house, it shall become a law. If any bill shall not be returned by the Gov-

ernor, within five days after it shall have been presented to him, or before the rising of the General Assembly, the same shall become a law.

ARTICLE 3.

No person, who is not already a freeman of this state, shall be entitled to exercise the privileges of a freeman, unless he be a natural born citizen of this or some one of the United States, or until he shall have been naturalized agreeably to the acts of Congress.

Mr. *Allyn* on motion introduced the following resolution, viz:

STATE OF VERMONT. In convention at Montpelier, 26th June, 1828, Resolved, That it is inexpedient for this Convention to adopt any of the amendments to the Constitution of this State, which were proposed to the freemen thereof by the late Hon. Council of Censors at their session holden at Burlington in November last.

Which being read,

On motion of Mr. *Everett*, it was ordered that said resolution, the communication of his excellency the Governor, and the document accompanying the same, be referred to a committee of the whole.

Whereupon the Convention resolved itself into a committee of the whole, and after some time spent in debate, Mr. President resumed the chair, and Mr. *Olin* reported that the committee of the whole had, according to order, had the resolutions, &c. under consideration, and made some progress therein, and directed him to ask leave to sit again.

Ordered that the committee of the whole have leave to sit again.

On motion of Mr. *Pierpont*, It was resolved that the Rev. *Chester Wright* be requested to attend as chaplain of this Convention during its session.

The President announced that in pursuance of the rules of the Convention he had made the following appointments, viz.

ROSWELL R. KEITH,
JOHN STARKWEATHER, } *Officers of the Convention.*
ARUNAH MARSHALL,

WILLIAM BILLINGS, *Door Keeper.*

The Convention adjourned.

FRIDAY, JUNE 27, 1828, 9 O'CLOCK A.M.

The Convention met pursuant to adjournment.

The journal of yesterday was read.

Mr. *Allyn* on motion, introduced the following resolution, viz:

STATE OF VERMONT. In Convention, at Montpelier, 27th June, 1828, Resolved that this Convention do immediately adjourn without day, after the throne of grace has been suitably addressed by the Rev. Chaplain.

Which was read, and on motion, ordered to lie on the table.

The Convention again resolved itself into a committee of the whole, on Mr. *Allyn's* resolution, the communication of his excellency the Governor, and the documents accompanying the same—and after some time spent therein, Mr. President resumed the chair, and Mr. *Olin* reported that the committee had according to order, again had said resolution, &c. under consideration, and had directed him to report their agreement to the following resolutions, viz:

Resolved that it is inexpedient for this Convention to adopt the first and second articles of the amendment to the Constitution of this State, proposed by the Council of Censors, and now under consideration.

Resolved, That it is expedient for this Convention to adopt the third article of the amendments to the Constitution of this State, proposed by the Council of Censors, and now under consideration.

The Convention adjourned.

2 OCOLCK, P. M.

The Convention met pursuant to adjournment.

The Convention proceeded to consider the resolutions reported by the committee of the whole.

On motion of Mr. *Everett*, ordered that the first of said resolutions lie on the table, and that the following resolution be substituted, viz:

Resolved, That it is expedient for this Convention to adopt the first and second articles of the amendments to the Constitution of this state, proposed by the Council of Censors, and now under consideration.

Which was read, and on the question, Shall said resolution pass? the yeas and nays were then taken.

Those who voted in the affirmative were:

Mr. Brown	Field *of Newfane*	Plumb
Bascomb	Field *of New Haven*	Pierpont
Barrett	Ferris	Platt
Baldwin	Hammond	Palmer
Brownell *of Williston*	Hewett	Paddock
Blanchard	Hunter	Stanley
Campbell	Hutchinson	Sandford
Conant	Hall	Swift
Church	Harvey	Stratton
Corse	Harmon	Short
Crafts	Jarvis	Shelden *of Shelden*
Collins *of Monkton*	Lyman	Steward
Drew	Loveland	Tucker
Dana	Noble	Whitney
Davis	Newell	Wooster *of Fairfield*
Everett	Perry	(47)

Those who voted in the negative were,

Mr. Adams	Barber	Bridge
Alby	Buckminster	Bancroft
Athelton	Bucklin	Brown *of Sutton*
Ambler	Blossom *of Wells*	Bruce *of Chester*
Arms	Bruce *of Woodbury*	Bowen
Allyn	Briggs *of Plymouth*	Barrows
Allen	Burton *of Weston*	Bingham
Buffum	Burcham	Bartlett
Barnard	Briggs *of Salisbury*	Barns
Burton *of Washington*	Bushnell	Collins *of Manchester*
Bottom	Brownell *of Colchester*	Colton
Brooks	Bliss	Coleman
Bailey	Bowman	Capen
Blossom *of Pittsfield*	Bailey *of Athens*	Chamberlin
Barney	Belding	*of Newbury*

Mr, Barney
Canfield
Chittenden
Cole
Chamberlin
of Middlesex
Carpenter
of Waitsfield
Cleaves
Cahoon
Carpenter
of Highgate
Chamberlin *of Albany*
Crane
Cobb
Curtis
Carron
Divoll
Dee
Dennison
Dagget
Emery
Eggleston
Emerson
Eaton
Egerton
Enos
Franklin
Forbes
Farrington
Freeman
Foster
Fuller
Fellows

Follet
Felton
Fitch
Goodale
Griswold
Gilman
Gleason
Hollister *of Woodford*
Huntley
Holbrook
Hendee
Holley
Hayward
Hyzen
Hobbs
Hollister
of Marshfield
Hemmenway
Hopkins
Hinds
Hopkinson *of Salem*
Hopkinson
of Guildhall
Howe
Hovey
Hyde
Ingalls *of Sheffield*
Ingalls *of Canaan*
Jewett
Jones *of Dover*
Jackman
Jenness
Jones *of Richmond*
Ketchum

King *of Kingston*
Kidder
King *of Tunbridge*
Kingsley
Keith
Landon
of Sunderland
Lillie
Lyon
Lowry
Luce
Landon
of South Hero
Martindale
Moore
Morse *of Somerset*
Mason *of Castleton*
Mason *of Ira*
Miner
Middlebrook
Merrill
Maltby
Morse *of Roxbury*
Moody
May
Mott
Needham
Nicholls
Nelson
Newcomb
Olin
Putnam
Pinneo
Page

Mr. Robinson *of Bennington*
Round
Richardson
Robinson *of Northfield*
Robinson *of Holland*
Rich
Stickney
Stowell
Scott
Smith *of Benson*
Sprague
Simonds *of Pawlet*
Simons *of Andover*
Smith *of Ludlow*
Spencer *of Addison*
Smith *of Williamstown*
Shelden *of Underhill*
Spencer *of Belvidere*
Soule
Sears
Sherman
Smith *of Wolcott*
Tuttle
Topliff
Tappan
Trull
Taylor
Taggard
Vail *of Middletown*
Vail *of Worcester*
Vance
Vilas
Willey
Wheelock
Wheeler
Wood *of Kirby*
Willard
Walker
Webber
Wiggin
White
Wood *of Sherburne*
Wooster *of Walden*

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And so the resolution was rejected.

The second resolution reported by Committee of the Whole, was then read, and on the question, Shall this resolution pass? the yeas and nays were taken.

Those who voted in the affirmative were

Mr. Adams
Alby
Allen *of North Hero*
Barnard
Bottom
Briggs *of Plymouth*
Burton *of Weston*
Burcham
Briggs *of Salisbury*
Brownell *of Colchester*
Bowman
Bowen
Barrows
Bingham
Barnes
Brown *of Sharon*
Bascomb
Barrett
Baldwin
Brownell *of Williston*
Blanchard
Colton
Coleman
Carpenter *of Waitsfield*
Campbell
Cahoon
Conant
Carpenter *of Highgate*
Church
Crane
Corse
Cobb
Crafts
Curtis
Carron
Collins *of Monkton*
Drew
Dee
Dennison

Mr. Dana
Daggett
Davis
Eggleston
Emerson
Everett
Egerton
Enos
Freeman
Fellows
Follet
Felton
Field *of Newfane*
Field *of New Haven*
Ferris
Goodale
Gilman
Hendee
Holley
Hayward
Hyzen
Hobbs
Hopkins
Hyde
Hopkinson *of Salem*
Howe
Hammond
Hewett
Hunter
Hutchinson
Hall
Harvey
Harmon

Ingalls *of Sheffield*
Ingalls *of Canaan*
Jarvis
King *of Kingston*
Kingsley
Lyon
Lowry
Lyman
Landon
of South Hero
Loveland
Mason *of Castleton*
Mason *of Ira*
Merrill
Middlebrook
Maltby
May
Mott
Needham
Noble
Newell
Olin
Perry
Plumb
Pierpont
Platt
Palmer
Paddock
Ranney
Robinson *of Holland*
Smith *of Benson*
Simonds *of Pawlet*

Simons *of Andover*
Smith *of Ludlow*
Shelden *of Underhill*
Spencer *of Belvidere*
Soule
Sears
Sherman
Smith *of Wolcott*
Stanley
Sanford
Swift
Stratton
Short
Shelden *of Shelden*
Steward
Tuttle
Tappan
Trull
Taylor
Tucker
Vail *of Middletown*
Vail *of Worcester*
Vilas
Wheelock
Willard
Walker
Webber
White
Wooster *of Walden*
Whitney
Wooster *of Fairfield*

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Those who voted in the negative, were

Mr. Atherton
Arms
Allyn
Buffum
Brooks
Bailey *of Berlin*
Barney
Barber
Blossom *of Pittsfield*
Buckminster
Bucklin
Blossom *of Wells*
Bruce of *Woodbury*
Bushnell
Bliss
Burton *of Washington*
Bailey *of Athens*
Belding
Bridge
Bancroft
Brown *of Sutton*
Bruce *of Chester*
Bartlett
Canfield
Collins *of Manchester*
Capen
Chamberlin *of Newbury*
Chittenden
Cole
Chamberlin *of Middlesex*
Cleaves
Chamberlin *of Albany*
Divoll
Emery
Eaton
Franklin
Forbes
Foster
Fuller
Fitch
Griswold
Gleason
Hollister *of Marshfield*
Huntley
Holbrook
Hollister *of Woodford*
Hemmenway
Hinds
Hopkinson *of Guildhall*
Hovey
Jewett
Jones *of Dover*
Jackman
Jenness
Jones *of Richmond*
Ketchum
Kidder
King *of Tunbridge*
Keith
Lillie
Landon *of Sunderland*
Luce
Martindale
Moore
Morse *of Somerset*
Merril
Morse *of Roxbury*
Nichols
Nelson
Newcomb
Putnam
Pinneo
Page
Robinson *of Bennington*
Round
Richardson
Robinson *of Northfield*
Rich
Stickney
Stowell
Scott
Sprague
Spencer *of Addison*
Smith *of Williamstown*
Topliff
Taggard
Vance
Willey
Wheeler
Wood *of Kirby*
Wiggin
Wood *of Sherburne*

(92)

So said resolution passed.

On motion, Messrs. Olin, Hutchinson and Everett were appointed a committee to draft an ordinance.

The committee appointed to draft an ordinance, submitted the following report, viz.:

The committee of the convention appointed for that purpose, respectfully report the accompanying paper marked [A], as the act of this Convention, and recommend that the same be signed by the President and Secretary, and deposited in the archives of the Secretary of State, and a copy be sent to the Governor, and a copy be published with the journal of the Convention.

H. OLIN, *for Committee.*

[A]

STATE OF VERMONT,
In Convention, at Montpelier, June 27th 1828.

The Convention having under consideration the third article of the amendments of the Constitution of this state, proposed by the Council of Censors, in the following words, viz.:

"No person who is not already a freeman of this State, shall be entitled to exercise the privileges of a freeman, unless he be a natural born citizen of this, or some one of the United States, or until he shall have been naturalized agreeably to the acts of Congress:"

And having duly deliberated upon the same, said Convention have agreed and do hereby agree, ordain and resolve, that the same article be, and hereby is adopted, and is become part of the Constitution of this State."

Which was read and concurred in.

On motion of Mr. *Cahoon*, a committee consisting of one member from each county, was appointed to make up, receive, and pay over the debentures of the members of this Convention.

Messrs. Collins, of Manchester, Plumb, Hunter, Hammond, Burton, of Washington, Tucker, Lowry, Cleaves, Trull, Davis, Hopkinson of Salem, Dennison, and Carron, were appointed said committee.

On motion of Mr. *Sprague*, it was ordered that the Secretary procure five hundred copies of the journal of this Convention to be prin-

ted and distributed as follows, viz.: To the members of the Convention each one copy, and to the Clerks of the several towns in this State, each one copy.

On motion, it was resolved, that the Convention meet to-morrow, at 5 o'clock, A. M., for the purpose of adjourning without day.

The Convention adjourned.

SATURDAY, 28th JUNE, 1828, 5 o'CLOCK, A. M.

The Convention met pursuant to adjournment.

The journal of yesterday was read.

Mr. *Everett*, on motion, introduced the following resolution, viz.:

Resolved, that the thanks of the Convention be tendered to the Hon. Samuel C. Crafts, for his able, faithful and impartial services, as President of the Convention during its session.

Which was read, and passed unanimously.

Agreeably to the resolution of the Convention, and after a solemn prayer by the Rev. Chester Wright, the Convention adjourned without day.

STATE OF VERMONT.

I hereby certify, that the foregoing is a correct journal of the proceedings of the Convention, begun and held at Montpelier, on the 26th day of June, A. D. 1828.

WYLLYS LYMAN, *Secretary.*